

REMARKS

I. Status Of Claims

Claims 17-32 are pending. Claim 17 and 32 are currently amended. Claims 17-32 were rejected.

Claims 17 and 32 are currently amended in a manner similar to that suggested in the Examiner's Interview Summary dated July 28, 2004.

Applicants respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing each claim in condition for allowance. Applicants submit that the proposed amendments of claims 17 and 32 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully note that the final action by the Examiner presented a new rejection against the present invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and to place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

II. Response To Finality

The finality rejection is improper, as the new rejection is not based on amendment but argument. Office action at 3. The finality should properly be withdrawn.

III. Response To New Grounds for Rejection

The Examiner urged that claims 17-32 of the present application lack an enabling disclosure because, "the specification, while being enabling for the first compound for treating alopecia or promoting hair growth, does not reasonably provide enablement for the second compound for treating alopecia or promoting hair growth." Office Action at 2. The present version of the claims avoids this issue. Thus, the rejection should be withdrawn.

IV. Response To the 35 USC 112, second paragraph rejection

Claims 17-32 were rejected, because claim 17 recites "a second compound for treating alopecia or promoting hair growth," and because it is unclear if the second compound is provided in an effective amount. Office action at 2 (referencing the previous Office action). The present version of the claim avoids this rejection. Thus, this ground for rejection should be withdrawn.

CONCLUSION

Each rejection should be withdrawn and the application allowed.

It is submitted that the present application is now in condition for allowance. Favorable reexamination reconsideration of the application as amended are respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

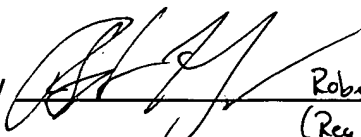
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions

for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 16, 2004

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